

DECISION NOTICE

And

FINDING OF NO SIGNIFICANT IMPACT

Drift Key Watershed Roads Project

USDA Forest Service
Siuslaw National Forest
Hebo Ranger District

Lincoln County, Oregon

September 2005

Lead Agency:

USDA Forest Service

Responsible Official:

George T. Buckingham
District Ranger
Hebo Ranger
Siuslaw National Forest
P.O. Box 235
Hebo, Or. 97122

For Information Contact:

Janet Moser
(503) 392-5134
E-Mail address: jmoser@fs.fed.us

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Project Background, Area and Need

In the fall of 2004 the Hebo Ranger District completed a review of the Forest Roads¹ in the Drift Creek Key Watershed to determine which of these Roads may pose a risk to downstream aquatic habitat if they fail; or are not needed to manage National Forest resources at this time; or cannot be properly maintained or repaired due to reduced maintenance funding. Forest Roads also fragment habitat for a variety of species, and serve as pathways for invasive species.

This project area is located in the Drift Creek Tier 1 Key Watershed, T 7 and 8 S and R 9 and 10 W. The Siuslaw Land and Resource Management Plan (Forest Plan) identifies Key Watersheds as the highest priority for watershed restoration (page B-19, Record of Decision, for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl, April 1994).

Purpose and Need for Action

Existing Conditions

Current budget allocations do not provide adequate funding to maintain the Forest Road network to established standards. The limited maintenance funds that have been allocated to the Key Road system, focused on ditch line and drainage clearing, brushing roadsides to maintain visibility and road surface treatments. More significant needed repairs of failing roads surfaces, replacing failing culverts, failing cut and fill slopes, major resurfacing and signing have been deferred. Although decommissioning and stabilizing Non-Key Roads have reduced the overall maintained Forest Road system, current and expected budget allocations are still far below funds required to adequately maintain the existing Forest Road system. (Siuslaw National Forest, Roads Analysis, January 2003, page 11)

Most of the fills and culverts proposed for removal at stream crossings are on roads that were built between mid 1950s and 1970s. Due to the age and size of culverts identified along these road segments there is a risk of failure during storm events. Some of the culverts proposed for removal are not large enough to handle flows associated with floods larger than those with a 25-year recurrence interval. If failures occur from inadequate drainage, the resulting debris torrents may scour the channel downstream and degrade fish habitat and water quality. Roads constructed with unstable sidecast material on steep slopes may have a risk of failing and causing debris slides or torrents.

Analysis and decision through the NEPA process is needed before a Forest Road is decommissioned and removed from the National Forest Road and Trail System.

Desired Condition

The desired condition is a safe, efficient, and serviceable Forest Road system that can be maintained to minimize impacts to terrestrial and aquatic species, while providing access for recreation, forest products, access to non-Federal land and future management of National Forest resources.

¹ Forest Road: A road wholly or partly within, or adjacent to and serving the national Forest Road system and which is necessary to protect, administer, and use the national forest system and its resources (23 USC 660.105)

My Decision

I have decided to implement all of the actions and the design criteria described in Alternative 2—Proposed Action, (EA pages 6-8). In making this decision, I have reviewed the EA, other project-file documents, and information from U.S. Fish and Wildlife Service and NOAA Fisheries.

This alternative proposes to decommission² all or portions of the ³Non-Key Forest Roads listed in Table 1, totaling about 6.0 miles. Decommissioning actions vary by road although in general the road templates are not obliterated.

Culverts and fills would be removed. The fill material would be placed on the road surface to reduce exposed cut banks created when the road was built.

Table 1

Forest Road	Proposed decommission lengths
1928	From its junction with 1928-111 to Forest Road 1900. (about .20 mile)
1928-111	All (about 0.50 mile)
1928-113	The last about 0.20 mile
1928-114	All (0.10 mile)
1928-116	All (about 0.60 mile)
1928-118	About The last 0.30 mile
1929-118	All (about 0.40 mile)
1700-150	All (about 0.30 mile)
1700-158	The last about 0.20 mile
1730	About the last 0.30 mile
1730-114	All (about 0.10 mile)
1730-115	All (about 0.20 mile)
1730-119	All (about 0.30 mile)
1730-120	All (about 0.20 mile)
1730-121	All (about 0.10 mile)
1900	Portion 1: The portion that extends from Odell Creek to private land in Section 6. Portion 2 Decommission from the north side Drift Creek Bridge to the first main drainage in Section 10. *A small parking area would be created just north of the bridge. The north bridge entrance would be blocked to prevent vehicle traffic crossing the bridge. The bridge would remain. (Total miles for both portions is about 1.6 miles)
1900-111	About the last 0.50 mile
Total	6.1 miles

*The small vehicle parking area for about 3 vehicles on the south side of the Drift Creek Bridge would not be accessible once this road segment is decommissioned. To compensate for this loss, a small parking area near the north bridge entrance would be constructed large enough for about 3 vehicles.

These Road locations are shown on the Drift Key Watershed Forest Roads Project- Proposed Action Map included with the EA.

² Decommission: Activities that result in the stabilization and restoration of unneeded roads to a more natural state.

³ Non-Forest Road: Non-Key Roads are generally not considered vital to community connections or needed for constant access for forest management. They may be needed for periodic forest-management access.

Design Criteria

To meet the Forest Plan Standards and Guidelines and reduce or prevent the adverse impacts of decommissioning, the following project design items (mitigation measures) would be implemented.

- 1) Operation of heavy equipment in live stream channels would be restricted to the dry season, generally July 1 to September 15. Operation outside of these dates may be possible if stream flows remain low, adult salmon have not yet entered the stream, and a waiver is obtained from the Oregon State Division of Lands. Extensions of the In-Water work period involving listed species also require written approval from NOAA.
- 2) Fill material would be disposed in stable locations. Waste piles would be compacted and contoured to mirror adjacent road cut banks or contoured to slopes of 30 percent or less on flat ground. Waste sites would be at least 60 feet from stream channels to minimize erosion potential. Straw mulch would be placed where there is potential for surface erosion,.
- 3) Equipment cleaning for all “off road” equipment would be included in the contract.
- 4) Waterbars would be constructed to decrease water concentration and surface erosion in accordance with the Siuslaw National Forest Road Obliteration and Upgrade Guide. Waterbars would be out sloped from the existing road cut bank to the outer edge of the road to facilitate proper drainage of surface water and to prevent ponding. Waterbars would be located in areas where drainage would not destabilize road fills. Waterbars would be constructed adjacent to and uphill from fill removal sites.
- 5) All disturbed areas would have straw mulch placed as soon as practicable to minimize erosion and prevent colonization of noxious weeds. Native seed and weed-free straw mulch would be used on fill slopes to reduce the amount of sediment entering the stream channel.
- 6) Existing vegetation would be left where possible to reduce the risk of erosion and mass soil movement.
- 7) A fish biologist and/or hydrologist would be consulted prior to modifying any of the project design criteria that could impact aquatic resources.
- 8) Dirt berms would be constructed to close proposed Forest Roads to vehicle access.

Reasons for the Decision

I am selecting these actions because:

- They best meet the needs for the action described in the EA, pages 1 and 2 and summarized on page 1 of this document.
- The temporary negative effects described in the EA, Chapters 3 and 4 are outweighed by the positive results of these actions. These positive effects include; Reduction in the amount of Forest Roads miles that need to be maintained. Protection of the aquatic habitat within the Drift Key Watershed by removal of culverts that potentially could fail and cause unwanted downstream damage to this habitat. Restore fragmented late-successional forest habitat.

In my review of the EA, and other project-file documents, I believe the information provided to me is adequate for a reasoned choice of action. I am fully aware that the selected actions will have some avoidable adverse environmental effects and irreversible commitment of resources EA pages 25 and 26 respectively. I have determined, however, that the long term benefits to the Key Watershed justify the short term adverse effects disclosed in the EA.

In making this selection, I have also reviewed information in the administrative record, including but not limited to the Land and Resource Management Plan Siuslaw National Forest (Forest Plan) (1990) as amended by the Record of Decision for Amendment to Forest Service and

Bureau of Land Management Planning Documents Within Range of the Northern Spotted Owl. (1994), the Drift(Silte) Watershed Analysis, September 1996; The Late-Successional Reserve Assessment for Oregon's Northern Coast Adaptive Management Area, January 1998, consultation files and records of the U.S. Fish and Wildlife Services and the National Oceanic and Atmospheric Administration's NOAA Fisheries, and applicable laws and regulations.

Alternatives

The alternatives described in the EA, Chapter 2, and summarized below were developed from public comments about the proposed action and other analysis information. The Chapter includes two sections; The first section includes those alternatives studied in detail. Their effects are discussed in Chapters 3 and 4 of the EA. The second section includes those alternatives not studied in detail and the reasons why their effects were not fully analyzed.

Alternatives Studied in Detail

Alternative 1 No Action

This alternative is fully described in Chapter 2 of the EA page 6. Essentially none of the actions described in Alternative 2 Proposed Action would be done. The effects of this alternative are disclosed in Chapter 3 of this EA. This alternative is studied in detail because it provides the baseline for understanding changes associated with Alternatives 2 and expected environmental responses as a result of past management actions.

Alternative 2 Proposed Action

This alternative is fully described in the EA, Chapter 2 on pages 6-8. In summary, this alternative would result in about 6 miles of Non-Key Forest Roads being decommissioned and small parking constructed near the Drift Creek bridge. The effects of this alternative are disclosed in the EA, Chapters 3 and 4.

Alternatives Considered but Eliminated from Detailed Study

Decommission all Non-Key Forest Roads

This alternative would decommission all of the Non-Key Forest Roads in the watershed. This alternative would allow more maintenance to occur on the Key Roads, as there would be fewer Roads to maintain in the future. This alternative was eliminated from detailed study, because:

1. Many of the Non-Key Roads are needed for management of National Forest resources and are used by the public to access areas of the watershed for a variety of reasons They can be managed through the Forest Road maintenance program, because many of these Roads have been hydrologically stabilized and closed to public travel, and require minimal funds to maintain them.

Implement the Original Proposed Actions

This alternative would implement the following three major actions included in the Drift Roads Scoping Document:

1. Existing Key Forest Roads improvements (maintenance) may include: replace old culverts, improve drainage by installing additional ditch relief culverts and improve travel surfaces by adding gravel and pavement repair.

2. Decommission Forest Roads that cross unstable areas and/or are not needed for long term management. Decommissioning may include pull back of sidecast material, removal of old culverts and breaking up the road surface to reduce compaction.

3. Close Forest Roads to public travel that are not needed for present management, but are needed in the future. These roads would be stabilized, which may include removal of some fill above culverts or removal of the culverts, to reduce the potential of downstream damage if they fail and installation of waterbars to road drainage. These roads would remain on the Forest Service Road system in maintenance Level 1. The goal of this action is have a stable Forest Road system in place for future management needs that requires minimal maintenance.

This alternative was eliminated from detailed study because:

1. The maintenance of the Forest Roads as described in the Scoping Document is a routine activity that is covered by the Forest Plan. Additional NEPA analysis is not needed for this activity.

2. Some of the Forest Roads proposed for decommissioning provide access to land not managed by the Forest Service. Those that own or manage these lands desire to maintain the access and have indicated they will work with the Forest Service to maintain these roads. These roads include Forest Roads 1701, 1770 and a portion of Forest Road 1900 that accesses the private land in T8S. R 10W, Section 6.

3. No NEPA decision is needed to change the maintenance level of a Forest Road.

Reasons for not selecting the No Action Alternative

Alternative 1 No Action

This alternative does not meet the purpose and needs for the actions and the desired future condition described in the EA, pages 1 and 2. This alternative does not meet Forest Plan direction to restore this Tier 1 Key Watershed. The effects of this alternative could have a greater long term negative effect than the proposed actions if the culverts fail and result in damage to downstream aquatic habitat. (EA, pages 12 and 13)

Help from the Public and Other Agencies

Information and concerns were gathered about the proposed action from within the Forest Service and from the public. The following two methods were used by the Hebo Ranger District to notify the public about the proposed action.

- Starting in the winter of 2003 the Project has been listed in the Project Update, the Siuslaw National Forest's Schedule of Proposed Actions (SOPA), which is published and mailed quarterly to a Forest mailing list of interested groups and individuals. No comments were received by this scoping method.
- On July 19, 2004, the Hebo Ranger District mailed the Drift Creek Key Watershed Project scoping letter to about 200 interested individuals, including Native American tribes and organizations that have expressed interest in similar projects. In addition, a legal advertisement notifying the public about the project was published in the Lincoln City News-Guard newspaper. Ten letters were received. The comments are located in the project analysis file. Most of the comments concerned the decommissioning of the Forest Road 1701, 1770 and segment of Forest Road 1900. These Roads access non-Federal land. The land owners wish to maintain access to their lands. One commenter was concerned that the proposed decommissioning of segments of Forest Road 1900 would limit access to Drift Creek for fishing. One group is concerned that unstable Non-Key Roads may be allowed to decay further. Based on these comments and further analysis, the Forest Service changed the proposed action described in the scoping document. The modified proposed action is described in Chapter 2 Alternatives, Proposed Action Alternative. Based on this action and other analysis information, no significant issues were identified.

The legal notice announcing the 30 day review and comment period of the draft Drift Key Watershed Roads Project Environmental Assessment was published in the Tillamook Headlight Herald on June 22, 2005. The 30 day comment period concluded on July 21, 2005. The District received comments from one group. They support the proposed decommissionings. They, generally, would like to see additional Non-Key Forest Roads in the watershed permanently closed.

NOAA Fisheries

NOAA Fisheries proposed listing the Oregon Coast (OC) coho salmon evolutionarily significant unit (ESU) as threatened under Endangered Species Act, (ESA) and proposed issuing protective regulations under Section 4(d) of the ESA in June 14, 2004. Pursuant to the Magnuson-Stevens Act, (MSA) the Pacific Fisheries Management Council designated essential fish habitat (EFH) for the Federally-managed Pacific salmon, including coho and Chinook salmon in May 2000.

The proposed actions are covered by the programmatic for Endangered Species Act Section 7 Consultation Biological Opinion and Magnuson-Stevens Conservation and Management Act Essential Fish Habitat Consultation, issued by the National Marine Fisheries Service on February 25, 2003.

U.S. Fish and Wildlife Service

In their biological opinions of the following Siuslaw National Forest biological assessments, the U.S. Fish and Wildlife Service (FWS) has concurred with our findings that the project will not jeopardize the existence of bald eagles, northern spotted owls, and marbled murrelets. The FWS terms and conditions will be applied to the project design criteria:

- Programmatic Biological Assessment of Fiscal Year 2004-2005 Projects in the North Coast Province Which May Disturb Bald Eagles, Northern Spotted Owls, or Marbled Murrelets. FWS biological opinion reference #: 1-7-02-F-1113.

Native Americans

The Confederated Tribes of Coos and Lower Umpqua, the Confederated Tribes of Grand Ronde and the Confederated Tribes of the Siletz were informed of the proposed action during scoping. No comments on the proposed action were received from these tribes.

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

After considering the environmental effects described in the Drift Key Watershed Roads Project Environmental Assessment (Chapters 3 and 4), I have determined that the proposed actions will not have a significant effect on the quality of the human environment, considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. This finding is based on the following:

A. Context

The proposed actions are small in scope, are not unique, and have been implemented many times on the Hebo Ranger District and Siuslaw National Forest with predictable beneficial and adverse environmental effects. The potential adverse effects of the actions are expected to be very minor and insignificant. These actions affect a very small portion of the Hebo Ranger District; about 5 acres of 156,000 acres, and the effects discussed in the Drift Key Watershed Roads Project Environmental Assessment (EA), page 26, would not result in an irreversible commitment of any environmental components.

B. Intensity

This refers to the severity of impact(s). The evaluation of intensity, per CFR 1508.27, includes an analysis of the following factors:

1. Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal Agency believes that on balance the effect will be beneficial.

Discussion: As described in the EA, Chapters 3 and 4, the majority of the effects associated with the proposed actions are assessed to be beneficial. Neither the detrimental effects nor those that are considered beneficial are deemed to be of sufficient intensity to be identified as “significant”.

2. The degree to which the proposed actions affects public health or safety.

Discussion: No significant adverse effects to public health or safety have been identified.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers or ecologically critical areas.

Discussion: The characteristics of the geographic area do not make it uniquely sensitive to the effects of project actions. (EA, Chapters 3 and 4). Past actions of similar intensity have not indicated any significant adverse effect.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.

Discussion: Projects similar to the proposed actions have been implemented or are being implemented on this and other National Forest with predictable results.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

Discussion: The proposed actions' environmental effects are not uncertain or unknown. The planned actions are similar to those already accomplished on similar lands on the Forest and the risks and effects are known and considered temporary. (EA, Chapters 3 and 4).

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

Discussion: The proposed actions do not set a precedent for future actions, because similar actions have been implemented in the past with temporal and spatial temporary effects that do not result in other decisions or actions needed to be made or implemented. (EA Chapters 3 and 4)

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.

Discussion: The Drift Key Watershed Roads Project Environmental Assessment has disclosed the direct, indirect, and cumulative effects to the components of the human environment. (EA Chapters 3 and 4) There are no significant direct, indirect or cumulative effects anticipated from the proposed actions.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

Discussion: The proposed actions would restore recently disturbed road ways. Therefore, there would be no effect on any scientific, cultural or historic resources.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

Discussion: The following summarizes what the effects determinations on the endangered or threatened species that may be found in the project area. A complete description is on pages 15-22 and 25 of the EA:

Terrestrial

The following table includes federally listed or proposed species for the Siuslaw National Forest as provided in the September 2002 list from the Regional Office.

Common Name	Species	Status	Species Excluded	Reason for Exclusion
Bald eagle	<i>Haliaeetus leucocephalus</i>	Threatened	NO	
American Brown Pelican	<i>Pelecanus occidentalis</i>	Endangered	YES	Lack of suitable habitat
Western Snowy Plover	<i>Charadrius alexandrinus nivosus</i>	Threatened	YES	Lack of suitable habitat
Northern Spotted Owl	<i>Strix occidentalis caurina</i>	Threatened	NO	
Marbled Murrelet	<i>Brachyramphus marmoratus</i>	Threatened	NO	
Oregon Silverspot Butterfly	<i>Speyeria zerene hippolyta</i>	Threatened	YES	Lack of suitable habitat

The following table summarizes the direct, indirect and cumulative effects on those species that may be in area by the proposed decommissionings.

Common Name	Species	Status	Determinations of Effects	
			Alt. 1 No Action	Alt. 2 Proposed Action
Bald eagle	<i>Haliaeetus leucocephalus</i>	Threatened	No Effect	No Effect
Northern Spotted Owl	<i>Strix occidentalis caurina</i>	Threatened	No Effect	*May Affect, Likely to Adversely Affect
N.S.O. Critical Habitat			No Effect	NE
Marbled Murrelet	<i>Brachyramphus marmoratus</i>	Threatened	No Effect	**May Affect, Likely to Adversely Affect
M.M. Critical Habitat			No Effect	No Effect
Baird's shrew	<i>Sorex bairdii</i>	Sensitive	No Impact	No Impact
Pacific fringe-tailed bat	<i>Myotis thysanodes vespertinus</i>	Sensitive	No Impact	No Impact
Southern torrent salamander	<i>Rhyacotriton variegatus</i>	Sensitive	No Impact	No Impact

*Although no surveys have been conducted, there is a high likelihood that the Northern spotted owls utilizes the area for dispersal and occurs in the vicinity of the proposed action. Some of the individuals could be temporarily negatively affected by treatment activity due to increase in the noise level. Temporary direct effects, such as individual and prey displacement, may occur during operations. Direct beneficial effects, such as improved habitat quality and quantity, are likely to occur as a result of the road decommissioning.

**Although no surveys have been conducted, there is a high likelihood that the marbled murrelet occurs in the vicinity of the proposed action. Activities within a .25 mile range of a nest site that result in above ambient noise levels may disrupt reproductive behaviors of murrelets at inland forest sites by causing nest abandonment, aborted feeding visits or significant alteration of breeding success. No known nest sites exist within the project area. The closest nest is located .73 mile away. Some of the individuals could be negatively affected by project activities. Temporary direct effects, such as individual displacement, may occur during operation. Direct beneficial effects, such as improved habitat quality and quantity, are likely to occur as a result of the road decommissioning.

The U.S. Fish and Wildlife Service (USFWS) agree with the conclusions within the *Biological Evaluation and Wildlife Report, Drift Key Roads Project, March 22, 2000* that anticipated effects meet the criteria of the Programmatic Biological Assessment of Fiscal Year 2004-2005 Projects in the North Coast Province Which May Disturb Bald Eagles, Northern Spotted Owls, or Marbled Murrelets. FWS biological opinion reference #: 1-7-02-F-1113, and will not jeopardize the existence of bald eagles, northern spotted owls, and marbled murrelets.

Salmonids

There are no listed fish species in the analysis area, however Coho Salmon (*Oncorhynchus kisutch*) is proposed for listing and the National Oceanic and Atmospheric Administration (NOAA) expects a decision by 12/05. During this period the US Forest Service will Conference with NOAA concerning potential effects on the species or their habitat.

Based upon the analysis in the *Biological Evaluation, Fish species, Drift Roads Project, March 25, 2005*; the proposed actions fit the criteria in the Programmatic Biological Opinion (BO) issued by NOAA on February 25, 2003. The BO allows for 5 miles of Likely to Adversely Affect (LAA) and 5 miles of Not Likely to Adversely Affect (NLAA) road activities each year in the basin. As described in the EA, 20, about 0.6 mile of LAA and 4.1 miles of NLAA habitats would be affected by the proposed actions. This is below the levels in the BO. Therefore, no further discussion with NOAA Fisheries is needed.

This action will not significantly affect aquatic systems, recreational fisheries, or designated Essential Fish Habitat. The anticipated effects are based on sound aquatic conservation and restoration principles for the benefit of recreational fisheries, as directed by Executive Order #12962. No further consultation under the Magnuson-Stevens Fishery Conservation and Management Act is required. (EA page 22)

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

Discussion: The proposed actions are in compliance with Federal, State, and local laws, regulations and requirements for the protection of the environment. Applicable laws and regulations were considered in the (EA, Chapters 3 and 4). The proposed actions are consistent with the Amended Siuslaw National Forest Land and Resource Management Plan.

Findings Required by Other Laws and Regulations

This decision to implement **Alternative 2 Proposed Action** is consistent with the intent of the Land and Resource Management Plan Siuslaw National Forest long term goals and objectives listed on page A-1 of the Record Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl. The project is designed to meet the Siuslaw Forest Land and Resource Management Plan Standards and Guidelines.

Federal Laws and Regulations

The Preservation of Antiquities Act, June 1906 and National Historic Preservation Act, October 1966 -- Surveys of the proposed project area were not done, because the ground where the proposed actions would be done is disturbed road surfaces. This results in a finding of "No Effect" to significant heritage resources.

The National Environmental Policy Act (NEPA), 1969 -- NEPA establishes the format and content requirements of environmental analysis and documentation. Preparation of the Drift Key Watershed Roads Project EA is in full compliance with these requirements.

The Endangered Species Act (ESA), December 1973 -- The ESA establishes a policy that all federal agencies will seek to conserve endangered and threatened species of fish, wildlife and plants. Biological Evaluation for terrestrial species and a Biological Assessments for plants, and fish have been prepared, which describe possible effects of the proposed action on TES species that may be in the Drift Key Watershed Roads Project area.

The National Forest Management Act (NFMA), 1976 – The alternatives were developed to be in full compliance with NFMA through compliance with the Amended Siuslaw National Forest Land and Resource Management Plan (US Forest Service, 1990).

Clean Air Act Amendments, 1977 – The alternatives are designed to meet the National Ambient Air quality standards through avoidance of practices that degrade air quality below health and visibility standards.

The Clean Water Act, 1987 -- The alternatives meet and conform to the Clean Water Act, Amended 1987. This act establishes a non-degradation policy for all federally proposed projects. The selected alternative is not likely to degrade water quality below standards set by the State of Oregon. This will be accomplished through planning, application and monitoring of Best Management Practices (BMPs) and the design criteria listed in this decision document, page 3.

There will be no significant adverse impacts to wetlands, floodplains, prime farmlands, range land or forest land; minority groups, civil rights, women or consumers. (EA page 26)

This Federal action has been conducted in a manner that does not exclude persons (including populations) from participation in, deny persons (including populations) the benefits of, or subject persons (including populations) to discrimination because of their race, color, or national origin, as directed by Executive Order #12898.(EA page 26)

All measures contained in the EA comply with the Record of Decision for the Final Environmental Impact Statement for Managing Competing and Unwanted Vegetation published December 1988 and the subsequent mediated Agreement of May 1989.

State Laws:

Oregon State Best Management Practices (BMPs) -- State BMPs will be employed to maintain water quality.

Oregon State Forest Worker Safety Codes, The Oregon Occupational Safety and Health Code for Forest Activities shall be met with implementation of the Alternative 3.

IMPLEMENTATION DATE AND APPEAL RIGHTS

No substantive comments expressing concerns were received during the official 30-day comment period. Therefore, pursuant to Forest Service regulations at 36 CFR 215.12 (e) (1), this decision is not appealable. Implementation may occur immediately after publication the legal notice in the Tillamook Headlight-Herald newspaper announcing this decision.

CONTACT PERSON

For specific information about this project, contact Janet Moser, Hebo Ranger District, 31525 Highway 22, Hebo, OR 97122; telephone, 503-392-5134, E-mail-jmoser@fs.fed.us.

Responsible Official: s| GEORGE T BUCKINGHAM **Date:** September 14, 2005
GEORGE T. BUCKINGHAM
District Ranger